Atty. Dkt. No. ABI1460-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Desai et al.

Title:

**COMPOSITIONS AND** 

METHODS FOR TREATMENT

OF HYPERPLASIA

Appl. No.:

09/847,945

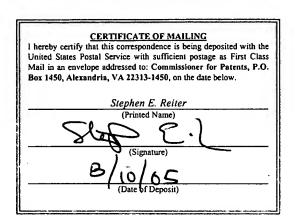
Filing Date: 05/02/2001

Examiner:

S. Gollamudi

Art Unit:

1616



(071243-1317)

## INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §1.56**

Mail Stop Amendment-IDS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. The documents identified herein were cited during prosecution of commonly assigned cases directed to related subject matter.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie art reference against the claims of the present application.

08/16/2005 YPULITE1 00000026 09847945

01 FC:1806

180.00 GP

## **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

## RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

## FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

In re application of

Desai et al.

Application No.: 09/847,945

Atty. Dkt. No. ABI1460-3 (071243-1317)

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

**FOLEY & LARDNER LLP** 

Customer Number: 30542 Telephone:

(858) 847-6711

Facsimile:

(858) 792-6773

Stephen E. Reiter

Attorney for Applicant

Registration No. 31,192

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute fo	r form 1449B/PTO	Complete if Known		
MOTORMATIC	ON DISCLOSURE	Application Number	09/847,945	
NOTE THE TEMENT	T BY APPLICANT	Filing Date	May 2, 2001	
15 Mills 83		First Named Inventor	Desai and Soon-Shiong	
AUG 1		Group Art Unit	1615	
use e many s رم	heets as necessary)	Examiner Name	S. Gollamudi	
(use as many s	of 1	Attorney Docket Number	ABI1460-3 (071243-1317)	

				U.S. PATENT DOCUMENTS	<b>.</b>	
	-	U.S. Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant
	Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if · known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
	A1	4,861,579	<u> </u>	Meyer, Jr. et al.	08-29-1989	
	A2	4,975,278		Senter et al.	12-04-1990	
	А3	5,565,478		Kohn	10-15-1996	
	7.3	3,303,476		IVIIII	10-10-1000	

FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	Foreign Patent Document				Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant	
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Co (if know		Applicant of Cited Documents	MM-DD-YYYY	Passages or Relevant Figures Appear	T <sup>6</sup>
								•	
		<del> </del>					-		
						and the second of the second o			

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>			
			1			
			<u> </u>			

Examiner Signature	Date Considered

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.